

MASS. EA 20.2: M 382/3

Massachusetts Rivers

GOVERNMENT DOCUMENTS
COLLECTION

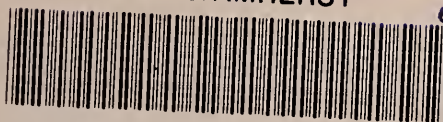
Protection

Act

11 1998

Protecting the Commonwealth's
rivers, streams,
and adjacent lands

UMASS/AMHERST



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Illustration by Sarah B. Lauterbach, Courtesy of River Network

The Rivers Protection Act, Chapter 258 of the Acts of 1996, protects nearly 9,000 miles of Massachusetts riverbanks - helping keep water clean, preserving wildlife habitat, and controlling flooding. The law creates a 200-foot riverfront area that extends on both sides of rivers and streams. In certain urban areas, the riverfront area is 25 feet.

According to the law, the riverfront area provides the eight interests of the Wetlands Protection Act: protection of public and private water supply, protection of groundwater supply, protection of land containing shellfish, protection of wildlife habitat, flood control, storm damage prevention, prevention of pollution, and protection of fisheries. The law also establishes the policy of the state to protect the natural integrity of rivers and to encourage and establish open space along rivers.

The Rivers Protection Act is the result of many years of dedicated support from legislators and citizens across the state. Although several different versions of the law were proposed over the years, the final legislation took a measured approach to environmental protection - work in the riverfront area is not prohibited, but applicants must demonstrate that their projects have no practicable alternatives and will have no significant adverse impacts. Existing structures such as single-family homes and accessory uses are exempt from the Rivers Protection Act. The law does not create a new permitting process, but rather builds on the strength of the existing procedures under the Wetlands Protection Act. The local conservation commission or the state Department of Environmental Protection (DEP) reviews projects to ensure that the riverfront area is protected for the eight interests in the Wetlands Act.

Riverfront areas may contain wetlands and floodplains, as well as what have traditionally been considered upland areas. As a result, the features of the riverfront area vary by location: from asphalt and landscaped greenways in urban areas to woods, lawns, and farm fields in suburban and rural areas. Riverfront areas protect water quality, stabilize stream banks, reduce flood peaks and downstream flooding, support fish and wildlife habitat, and protect groundwater. Even in urban settings, riverfront areas may provide flood control, storm damage prevention, and wildlife travel corridors.



**Riverfront
areas protect
public and
private water
supply,
groundwater
supply,
land
containing
shellfish,
wildlife
habitat, and
fisheries;
control
flooding;
and prevent
storm
damage and
pollution.**

The riverfront area

The riverfront area is a 200-foot wide corridor on each side of a perennial river or stream, measured from the mean annual high-water line of the river. However, the riverfront area is 25 feet in the following municipalities: Boston, Brockton, Cambridge, Chelsea, Everett, Fall River, Lawrence, Lowell, Malden, New Bedford, Somerville, Springfield, Winthrop, and Worcester; and in “densely developed areas,” designated by the Secretary of the Executive Office of Environmental Affairs.

A river is any natural flowing body of water that empties into any ocean, lake, or other river and that flows throughout the



year. The definition includes all perennial rivers, including streams and brooks that flow throughout the year. Rivers end where they meet the ocean, a lake, or pond. Intermittent streams are not subject to the Rivers Protection Act.

Riverfront areas prevent pollution by:

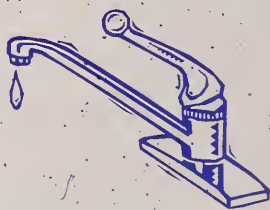
- Filtering and trapping sediments, oils, metals, and other pollutants; and
- Cleaning water through toxic chemical breakdown in soils and plant roots.



Riverfront areas protect public and private water supply and groundwater supply by:

- Removing pollutants that are carried in runoff from nearby land uses, such as commercial areas, roadways, housing developments, and parking lots, before they reach surface water and/or groundwater; and
- Allowing water to infiltrate, or seep down into the ground, to replenish groundwater supplies and maintain base flows in streams and wetlands.

Over 60% of Massachusetts communities are dependent in whole, or part, on surface water as their primary source of drinking water. There are almost 200 public drinking water supply wells within riverfront areas.



Riverfront areas protect fisheries and land containing shellfish by:

- Maintaining water quality by moderating stream temperatures, reducing erosion, and filtering sediments and pollutants, such as excess nutrients, toxins, and pathogens, before they reach rivers, and fisheries and shellfish beds that are important for recreational and commercial harvesting; and



- Providing food sources to support the aquatic food chain.

Riverfront areas protect wildlife habitat by:

- Providing food, shelter, and water for many plants, birds, and animals, such as black duck, eagle, deer, raccoon, otter, and beaver;
- Serving as critical wildlife travel corridors, year-round and during seasonal migrations; and
- Harboring rare or endangered plants and animals, such as the wood turtle.

Riverfront areas control flooding and prevent storm damage by:

- Absorbing and storing water during storms and releasing the water slowly back to the river;
- Reducing peak runoff during storms; and
- Preventing erosion and sedimentation.

For More Information:

Please contact the following DEP offices with questions about the Massachusetts Rivers Protection Act:

DEP Regional Offices/wetlands staff:

Southeast: 508/946-2800

West: 413/784-1100

Central: 508/792-7650

Northeast: 617/932-7600

Boston:

Bureau of Resource Protection Hotline:

617/292-5886

(within 617 area code)

1/800/266-1122

(within 508 or 413 area codes)



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